



**Cyberspace Law (Online)
JD-214-W / ITP-808-W (3 credit hours)
Professor David E. Sorkin
Summer 2020**

SYLLABUS

Overview

This course provides an overview of Internet law. Students consider such issues as the nature of online services, governance and business structures in the borderless electronic environment of Cyberspace. Subjects will vary as the field develops, but will include such areas as tort liability, freedom of expression, crime and security, privacy, intellectual property rights and protection, regulation, jurisdiction, and standards of ethics and propriety.

Participants are expected to read the assigned materials, participate actively in online discussions, and complete a short thesis paper and other assignments.

Instructor

David E. Sorkin, Associate Professor of Law and
Associate Dean for Academic Programs
Office: Room C-924 (CBA Building, 321 S. Plymouth Ct., room 924)
Telephone: (312) 987-2387
E-mail: 7sorkin@jmls.edu or dsorkin@uic.edu
Office hours: by appointment

Textbook

James Grimmelman, *Internet Law: Cases and Problems* (Semaphore Press 9th ed. 2019, ISBN 978-1-943689-09-5. (Please also download the Spring 2020 Supplement.)

This required text is available for download at www.semaphorepress.com. Semaphore Press uses a publishing model different from the traditional law school casebook publishers. I encourage you to read about Semaphore Press's

publishing approach on its website. The downloadable version of this book has a suggested price of \$30. I urge you to pay the suggested retail price in order to keep high-quality legal educational material available at reasonable prices.

If you prefer to obtain a printed and bound copy of the text, you may order it from [Amazon.com](https://www.amazon.com) for \$65.50. This price includes the \$30 suggested price for the digital copy, so after you purchase the printed copy, you may download a digital copy from Semaphore Press at no additional cost.

Learning Outcomes

Students will gain familiarity with a wide range of legal issues involving the Internet. Students will identify issues presented by new technologies and business models; draw upon multiple bodies of law to analyze both practical and theoretical problems; explore the interrelated effects of technological and legal changes; and recognize patterns and common themes in Internet regulation.

Course Requirements and Grading

1. Readings, Problems, and Participation

Students are expected to complete the assigned reading material, including materials posted by other seminar participants. The textbook includes questions and problems, many of which will be posted online for discussion purposes. Students will be asked to respond to these questions and to participate actively in online discussions of the assigned readings and of current issues in the field of Internet law that may arise during the course. The extent and quality of such participation will be evaluated by the instructor, and will account for 30% of the course grade.

2. Presentations

Each student will prepare three presentations. Each presentation should be posted on the seminar website in a generally accessible format (e.g., a Microsoft PowerPoint presentation including notes, a link to a Prezi presentation, or a YouTube video), ***along with a textual outline or transcript of the presentation.*** The length of the presentations will vary, but as a rough guideline, they should average about 10 to 15 minutes long if presented in a live setting.

For each of the first two presentations, the student will present a critical analysis of a particular case or issue in the assigned readings or otherwise

relating to Internet law. A list of suggested topics will be posted on the class website. Students may claim a suggested topic or propose a new topic by posting to the website, and should attempt to avoid duplicating topics on which other students are presenting (although some duplication is inevitable).

The third presentation is a summary of the student's draft thesis paper, to be posted contemporaneously with the draft. The outline or transcript is optional for the third presentation.

The presentations will account for 30% of the course grade.

3. Thesis Paper

Each student must write a short thesis paper. Students may select a topic of their choice for the paper, subject to approval by the instructor. The topic should be within the subject matter scope of the seminar, and ***should not be related to the topic of either of the first two presentations***. A narrow topic is recommended so that you can address it in sufficient depth. (Cyberbullying, for example, is far too broad to use as a topic for the thesis paper, and so much has already been written about it that it is likely to be difficult for you to find something new to say.) The paper should advocate a legal or social goal, and recommend or disapprove some means to that goal; it should not merely describe or interpret the law.

Several preliminary submissions are required in addition to the final version of the paper, including an outline and a complete draft of the paper. You will also prepare a presentation on your thesis paper, to be posted when you post the draft of the paper. The paper should include appropriate citations to authority, in footnotes or endnotes; a separate bibliography is not required. The citations should be complete and in a standard form; bare URLs are not sufficient. An abstract of the paper should also be included.

The recommended length for the paper is about 3,000 to 4,000 words, not including citations or the abstract. A substantial portion of the paper should be devoted to your analysis, recommendations, and conclusions, rather than background and other descriptive material. (If you use Microsoft Word, bear in mind that the word count that appears at the bottom of the screen may include your footnotes or endnotes. Click on the word count and uncheck the box to see a count that excludes the notes.) The paper should be in PDF or Microsoft Word format.

The main purpose of the draft is to get feedback from colleagues on the analysis and recommendations contained in your paper. You can (and should) plan to revise the paper based upon that feedback, but the draft should be

substantially complete, especially with respect to your thesis, analysis, and recommendations. (It is less critical that the descriptive and background portions of the paper be completely finished at the draft stage.)

Papers will be evaluated based primarily upon relevance of the topic and thesis; depth and validity of analysis; logic and persuasiveness of the argument; use of appropriate authority; and overall clarity and coherence. The paper will constitute 40% of the final grade, of which half will be allocated to the draft and other preliminary submissions, and the other half to the final paper.

Course Policies

1. Attendance

Regular attendance is required. Attendance means contributing to an online discussion, submitting an assignment, or otherwise engaging in an academically related activity. If you do none of these things by the deadline for a particular module, you will be treated as absent for that module. The maximum number of absences for this course is 3 modules.

In addition, if you do not participate in the first online module or make other arrangements by Thursday, June 18, 2020, you will be treated as absent from the first class and will be administratively dropped from the class pursuant to the first-day attendance provisions of the law school's Attendance Policies.

2. Expected Workload

The amount of instructional time and out-of-class work that corresponds to each hour of academic credit is governed by accreditation standards and federal regulations (including ABA Standard 310), and the law school has implemented policies consistent with these rules. You should expect to spend at least two hours outside class preparing for each hour spent in class. The total amount of work expected for an online class is comparable to the amount required for a traditional class.

3. Grading

~~Depending upon enrollment, it is possible that grading for this class may be governed by a grading curve as provided by the law school's grading policy. The faculty has suspended mandatory grading curves for the Summer 2020 term.~~

4. Late Policy

Assignments must be submitted on or before the due date unless an extension for good cause is requested in advance and approved by the instructor. Late assignments will be penalized by a deduction of up to 10% (approximately one full letter grade) for each 24 hours or portion thereof following the due date.

5. Academic Integrity

As an academic community, UIC is committed to providing an environment in which research, learning, and scholarship can flourish and in which all endeavors are guided by academic and professional integrity. All members of the campus community—students, staff, faculty, and administrators—share the responsibility of ensuring that these standards are upheld so that such an environment exists. Instances of academic misconduct by students are governed by law school policies on academic integrity and professional misconduct as well as by the UIC Student Disciplinary Policy. Additional information may be found at <https://jmls.uic.edu/policy/>.

6. Disability Accommodations

The University of Illinois at Chicago is committed to maintaining a barrier-free environment so that individuals with disabilities can fully access programs, courses, services, and activities at UIC. Students with disabilities who require accommodations for full access and participation in UIC programs must be registered with the Disability Resource Center (DRC), <https://drc.uic.edu/>. Please contact DRC at (312) 413-2183 (voice) or (312) 413-0123 (TDD).

7. Other Policies

The law school's policies on attendance, class recordings, grading, academic grievances, and other matters may be found at <https://jmls.uic.edu/policy/>.

Seminar Schedule

Module 1 <i>due June 18</i>	Introduction. Read pp. 9–12 in the casebook.
Module 2 <i>due June 23</i>	Computers. Read chapter 1 (pp. 15–52).
Module 3 <i>due June 26</i>	Jurisdiction. Read chapter 2 (pp. 53–118).
Module 4 <i>due June 30</i>	Speech. Read chapter 3 (pp. 119–206 and Spring 2020 Supplement pp. 3–12). Topic for first presentation due.
Module 5 <i>due July 3</i>	Privacy. Read chapter 4 (pp. 208–301). Proposed thesis paper topic and thesis statement due.
Module 6 <i>due July 7</i>	Access to Computers. Read chapter 5 (pp. 302–42 and Spring 2020 Supplement pp. 13–18). First presentation due.
Module 7 <i>due July 10</i>	Trademarks; Copyright. Read chapter 6 (pp. 344–76), and in chapter 7, read pp. 378–431.
Module 8 <i>due July 14</i>	Copyright, continued. In chapter 7, read pp. 431–95. Topic for second presentation due.
Module 9 <i>due July 17</i>	Platforms. Read chapter 9 (pp. 512–605). Outline and research notes for thesis paper due.
Module 10 <i>due July 21</i>	Beyond the Internet. In chapter 10, read pp. 607–651 and 691–702. Second presentation due.
Module 11 <i>due July 24</i>	Draft of thesis paper and thesis paper presentation due.
Module 12 <i>due July 28</i>	Discussion and feedback on thesis paper drafts.
Module 13 <i>due July 31</i>	Final thesis paper due.